

## UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,	) )
Plaintiff,	)
v.	) )
RESERVE MANAGEMENT COMPANY, INC., RSERVE PARTNERS, INC., BRUCE BENT, SR.	) ) NO. 09 Civ. 4346 (PGG) )
and BRUCE BENT II,	ECF CASE
Defendants,	)
and	) )
THE RESERVE PRIMARY FUND,	) )
Relief Defendant.	) ) )

## <u>DECLARATION OF ROBERT DAME IN SUPPORT OF</u> <u>UNOPPOSED EMERGENCY MOTION FOR PROTECTION</u>

- I, Robert Dame, declare as follows:
- 1) On or about September 6, 2012, the Defendants issued a subpoena to me for trial testimony in the above-captioned case for the period October 1, 2012, and continuing (the "Subpoena"). My counsel, Sean Carnathan, accepted service of the Subpoena on my behalf.
- 2) I reside in Duxbury, Massachusetts. I am employed by State Street Bank and Trust Company and work in Boston, Massachusetts.
- 3) The Subpoena states that I should appear for trial testimony on October 1, 2012. I understand that the trial is scheduled to commence on October 9, 2012 and continue for several weeks thereafter.

- 4) I am not available to testify on October 11, 12, or 15-17, 2012. I will be on a previously planned business trip in Bermuda between October 11-15, and have client commitments that would be burdensome to alter on October 16 and 17, 2012.
- 5) Requiring me to appear in New York City to testify on the dates on which I am unavailable, as set forth above, would subject me to undue burden and expense.
- 6) Accordingly, I seek an order from the Court protecting me from testifying on the foregoing dates on which I am not available.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: Boston, Massachusetts September 28, 2012

Aphur J. Vane
Robert Dame

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